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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/664,620	
	Filing Date	September 19, 2003	
	First Named Inventor	David E. Galomb	
	Art Unit	3751	
	Examiner Name	J. Casimer Jacyna	
Total Number of Pages in This Submission	3	Attorney Docket Number	F1012/20134

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): - Response to Restriction Requirement and Election of Species - Return Receipt postcard
Remarks Please charge Attorney Account No. 03-0075 as necessary to effect entry and/or ensure consideration of this submission.		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm Name	Caesar, Rivise, Bernstein, Cohen & Pokotilow, Ltd., Customer No. 03000	
Signature		
Printed name	Barry A. Stein	
Date	December 13, 2005	Reg. No. 25,257

CERTIFICATE OF TRANSMISSION/MAILING		
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:		
Signature		
Typed or printed name	Barry A. Stein	Date December 13, 2005

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F1012/20134
Customer No. 03000

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
PATENT EXAMINING OPERATION**

Applicant	:	David E. Galomb
Serial No.	:	10/664,620
Confirmation No.	:	4006
Filed	:	September 19, 2003
For	:	SYSTEM AND PACKAGE FOR DISPENSING FLOWABLE MATERIAL AND METHOD FOR PRODUCT DISPENSING
Group	:	3751
Examiner	:	<u>J. Casimer Jacyna</u>

RESPONSE TO RESTRICTION REQUIREMENT AND ELECTION OF SPECIES

Mail Stop AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This Election of Invention is responsive to the Office Action dated December 6, 2005 requiring applicant to elect to prosecute claims drawn to the invention of Group I (namely, Claims 1-38 and 60-67) or the invention of Group II (namely, Claims 39-59).

Pursuant to the foregoing requirement, Applicant hereby elects to prosecute the Claims 39-59 of Group II, drawn to "a subcombination package, classified in class 383, subclass 200" with Claims 1-38 and 60-67 of Group I being held in abeyance. This election is being made without traverse.

Application Serial No. 10/664,620

Response to Restriction Requirement and Election of Species Dated December 13, 2005

Response to Restriction Requirement and Election of Species Dated December 6, 2005

Since the Election of Species, as noted in paragraph 5 of the Restriction Requirement, was directed to the species of the invention of the apparatus of Group I, which was not elected, it is respectfully submitted that no election of species is necessary for the elected claims of Group II (the subcombination package).

It is respectfully submitted that the aforementioned elected claims in this application are allowable and such favorable action is respectfully requested.

Respectfully submitted,

CAESAR, RIVISE, BERNSTEIN,
COHEN & POKOTILOW, LTD.

December 13, 2005

By


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